

Appl. No. 10/040,857

Attorney Docket No. 10541-396

II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

Claim Rejections - 35 U.S.C. §102(b)

Claims 17-18, 22, 24, 28-30 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. 5,887,247 to Baltus et al. (Baltus).

Independent claims 17 and 24 recite "resetting a combination of the first and second radio signal to generate the receiver signal in response to the first test steering solution when the test signal quality exceeds the receiver signal quality." As such, the way in which the first and second radio signals are combined to generate the receiver signal are changed effectively changing the receiver signal.

In Baltus, signal 30 corresponds to the receiver signal and signal 31 corresponds to the test signal. If the quality of signal 31 surpasses the quality of signal 30, the combination of the first and second signals to generate signal 30 is not changed, rather, switch 27 transmits signal 31 instead of signal 30. Therefore, Baltus does not teach resetting a combination of the first and second radio signal to generate the receiver signal. Accordingly, Baltus does not teach or suggest the present invention.

In view of the arguments presented above, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §102.

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Claim Rejections - 35 U.S.C. §103(a)

Claims 1-2, and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 3,864,633 to Strenglein (Strenglein) in view of U.S. 5,887,247 to Baltus et al. (Baltus).

Claim 1 recites "the first mixer circuit is operable to reset the combination of the first and second signals for the receiver signal in response to the test signal when the test signal quality exceeds the receiver signal quality". As such, the first mixer circuit may change the way in which the first and second signals are combined in generating the receiver signal.

In Baltus, the first mixer circuit corresponds to 23 and the second mixer circuit corresponds to 25. However, if the quality of signal 31 exceeds the quality of signal 30, switch 27 merely transmits signal 31 instead of signal 30 and signal 30 becomes the test signal. Therefore, Baltus does not teach or suggest resetting the combination of the first and second signals for the receiver signal. Further, Baltus does not teach or suggest the present invention according to claim 1. In addition, Strenglein does not teach or suggest the limitations noted above as missing from Baltus.

Claims 2 and 6 depend from claim 1 and are therefore patentable for at least the reasons given above in support of claim 1.

Claims 3 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 3,864,633 to Strenglein (Strenglein) in view of U.S. 5,887,247 to Baltus et al. (Baltus) and further in view of U.S. 2002/0168955A1 to Wildhagen (Wildhagen).

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Strenglein and Wildhagen do not teach or suggest the limitations that are lacking from Baltus as noted above. Further, claim 3 depends from claim 1 and is, therefore, patentable for at least the reasons given above in support of claim 1. Claim 7 has been cancelled.

Claims 4 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 3,864,633 to Strenglein (Strenglein) in view of U.S. 5,887,247 to Baltus et al. (Baltus) and further in view of U.S. 2002/0168955A1 to Wildhagen (Wildhagen) and further in view of U.S. 6,064,865 to Kuo et al. (Kuo).

Strenglein, Wildhagen and Kuo do not teach or suggest the limitations that are lacking from Baltus as noted above. Further, claim 4 depends from claim 1 and is, therefore, patentable for at least the reasons given above in support of claim 1. Claim 8 has been cancelled.

Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 3,864,633 to Strenglein (Strenglein) in view of U.S. 5,887,247 to Baltus et al. (Baltus) and further in view of U.S. 6,064,865 to Kuo et al. (Kuo).

Strenglein and Kuo do not teach or suggest the limitations that are lacking from Baltus as noted above. Further, claim 5 depends from claim 1 and is therefore patentable for at least the reasons given above in support of claim 1.

Claims 9-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 6,577,353 B1 to Welles, II et al. (Welles) in view of U.S. 5,887,247 to Baltus et al. (Baltus).



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Claim 9 recites "where the first mixer is operable to reset the steering solution for the RF receiver signal in response to the test steering solution, when the test signal quality exceeds the receiver signal quality."

Welles again teaches using a switch to toggle between the test signal and the receiving signal not resetting the combination of the input signals in the first mixer. Therefore, Welles does not teach or suggest the first mixer is operable to reset the steering solution for the RF receiver signal in response to the test steering solution, when the test signal quality exceeds the receiver signal quality. As noted above, Baltus is also lacking these limitations. Further, claim 10 depends from claim 9 and is, therefore, patentable for at least the reasons given above in support of claim 9.

Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 6,577,353 B1 to Welles, II et al. (Welles) in view of U.S. 5,887,247 to Baltus et al. (Baltus) and further in view of U.S. 2002/0168955A1 to Wildhagen (Wildhagen).

Wildhagen does not teach or suggest the limitations that are lacking from Welles and Baltus as noted above. Further, claim 11 depends from claim 9 and is, therefore, patentable for at least the reasons given above in support of claim 9.

Claims 12-13, and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 6,577,353 B1 to Welles, II et al. (Welles) in view of U.S. 5,887,247 to Baltus et al. (Baltus) and further in view of U.S. 6,064,865 to Kuo et al. (Kuo).

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Kuo does not teach or suggest the limitations that are lacking from Welles and Baltus as noted above. Further, claims 12-13 and 16 depend from claim 9 and are, therefore, patentable for at least the reasons given above in support of claim 9.

Claims 14-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 6,577,353 B1 to Welles, II et al. (Welles) in view of U.S. 5,887,247 to Baltus et al. (Baltus) and further in view of U.S. 3,864,633 to Strenglein (Strenglein).

Strenglein does not teach or suggest the limitations that are lacking from Welles and Baltus as noted above. Further, claims 14 and 15 depend from claim 9 and are, therefore, patentable for at least the reasons given above in support of claim 9.

Claims 19 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 5,887,247 to Baltus et al. (Baltus) in view of U.S. 2002/0168955A1 to Wildhagen (Wildhagen).

Wildhagen does not teach or suggest the limitations that are lacking from Baltus as noted above. Further, claims 19 and 25 depend from claim 17 or 24 and are, therefore, patentable for at least the reasons given above in support of claims 17 and 24.

Claims 20-21, 23, and 26-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 5,887,247 to Baltus et al. (Baltus) in view of U.S. 6,064,865 to Kuo et al. (Kuo).



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Kuo does not teach or suggest the limitations that are lacking from Baltus as noted above. Further, claims 20-21, 23 and 26-27 depend from claims 17 or 24 and are, therefore, patentable for at least the reasons given above in support of claims 17 and 24.

Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §103.

New Claims

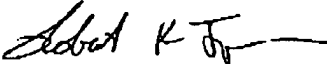
Claims 31-32 depend directly from claim 1 and are, therefore, patentable for at least the reasons given above in claim 1.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

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